

JACK BELK GUNWORKS

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January 28, 2015

Your Honor,

I come before the Court in OBJECTION to the Pollard proposed settlement.

My name is Henry J. Belk Jr. (Jack). I have owned Remington rifles containing Walker triggers since 1962 and own two at this time. I've attached copies of my resume', a current list of publications, a list of testimony given in prior firearms cases, and the draft declaration(s) made for this particular case and submitted to Plaintiff's attorneys on December 5, 2014.

I approach as being a qualified witness for the Class with 50 years experience with Walker triggers and almost every alternate trigger made for military and sporting bolt-action firearms. I am a school-trained gunsmith that has also taught gunsmithing, written extensively about gunsmithing subjects with a special interest in fire control mechanisms. I have daily communications with gun owners, shooters and hunters and do work on rifles actually used in daily pursuit of sport and defense.

I was hired in the summer of 2013 by Plaintiff's attorneys to advise them on alternate trigger systems to replace the Walker. Through numerous phone calls, it was conveyed to those attorneys that the XMP trigger was already failing in the field in an uncommonly short time. I asked for any factory tests or studies or information that might explain the damage I was seeing in customer rifles. That information was never supplied. I pointed out to Plaintiff's counsel that MIM material was unsuitable for the application and was contrary to centuries of firearms design where fire control parts were designed and manufactured to be dependable for at least the entire life of the gun. I pointed out the forces and wear present in all trigger systems and the fact that M.H. Walker, the designer of the Walker trigger even gave warning in testimony against MIM materials in such an important place.

In the Fall of 2014 I refused to agree that the XMP was a suitable replacement for the Walker and sent to Plaintiff's attorneys on December 5, 2014 my draft Declaration of facts and results of my tests on the XMP trigger supplied to me for that purpose just the day before. On January 23, 2015 I was terminated as a Plaintiff's witness without my concerns being conveyed to the Court.

As an expert in firearms design and function and a very concerned member of the Class, I offer this letter of opposition to the settlement and ask the Court to hear why the proposed settlement is not fair to the Class and is unworthy of consideration by the Court.

H.J. (JACK) BELK, JR

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RESUME'

Born:

June 10,1946. Tallahassee, Florida

Education:

Twelve years public schools in Florida.

U.S. Army Sept 14,1964- Sept 13, 1967. Trained as Artilleryman, then small arms and supply. Numerous seminars and schools. Honorable Discharge.

Colorado School of Trades (Gunsmithing) Oct 1967-Mar 1969. Certificate of Completion with honors and awards. Certified hunter safety instructor, Colorado.

Law Enforcement Minimum Standards School 1970. Course of study included crime/accident scene investigation and evidence collection, firearms safety and use, and all other subjects proscribed by law for the certification of law enforcement agents. Certified- Florida. Additional seminars, workshops and classes for advanced skills in investigations and enforcement.

Job History:

March 1999 to present. Semi-retired as caretaker of a very remote hot springs sites with full shop and laboratory facilities. Jack Belk Gunworks continues to build, modify, and design fine sporting firearms as well as analyze firearms designs and functions and give testimony when needed.

October 1998 to March 1999. Glunt Industries, Warren, Ohio. Sales representative covering all states west of the Mississippi River.

July, 1990 to 1997; Tricon Metals and Services, Birmingham, Alabama. Field sales and service representative for parts of five Western states. Strong metallurgical training.

April 1993 to 1995; President of American Custom Gunmaker's Guild.

June 1989 to July 1990; Sales Representative for Rockmount Research and Alloys, Vancouver, Washington. Welding metallurgy and processes.

August 1986 to June 1989, Co-Owner and Operator of Belk and Shanks Gunworks, Carbondale,

Colorado.

March 1986 to August 1986; Machinist for Baker Mine Service, Glenwood Springs, Colorado. Mechanical and hydraulic design and repair.

February 1986, Consultant to B&B Imports, Memphis, Tennessee. Trip to England and Scotland for firearm inspections, selection, purchases, and safety testing, marketing and advertising.

January 1978 to August 1986, Owner and Operator of Glenwood Gunworks, Inc. Glenwood Springs, Colorado.

June 1976 to January 1978, Instructor at Colorado School of Trades, Lakewood, Colorado.

July 1975 to June 1976, Manager of "The Outdoors Shop" Tallahassee, Fla.

January 1971 to July 1975, Criminal Shift Deputy Sheriff, Leon County, Florida.

March 1969 to January 1971, Gunsmith for Jackson Gun Shop Tallahassee, Fla.

October 1967 to March 1969, student at Colorado School of Trades, (Gunsmithing) Lakewood, Colorado.

February 1966 to Sept 1967 U.S. Army, Ft Benning, Ga. Army Training Center. (Boot Camp)

Jan 1965 to Jan 1966, U.S. Army, Camp Santa Barbara, South Korea. 2nd and 76th Artillery. I Corp. Small arms and supply. Battalion small arms inspector and instructor.

Sept 1964 to Jan 1965, U.S. Army, Ft Jackson S.C. and Ft Sill, OK.

Experience:

Started at about age five studying, shooting, and learning guns of many types. Designed first firearm at twelve and finished building first rifle at fifteen.

Trained in the Army as Artilleryman at Ft Sill, OK. Changed MOS to Supply/ Small arms in Korea 1965. Duties included examination and inspection of over one thousand small arms of several types and the field testing of new weapons.

Taught Small Arms maintenance, use, and marksmanship at Ft. Benning Ga. 1966-1967. This teaching was in the classroom as well as in the field.

Attended and graduated from Colorado School of Trades 1967- 1969. Graduated with honors and awards. Certificate of Completion and certified hunter safety instructor for Colorado. Was a member of the Colorado Game and Fish advisory board for handgun hunting and helped develop proficiency test for handgun hunters.

Worked as full time gunsmith doing general repair and custom work at Jackson Gun Shop in Tallahassee, Fla. 1969-1971.

Owned and operated Belk's Custom Guns in Tallahassee during time served as Deputy Sheriff. 1971-1975

Full time criminal shift Deputy Sheriff handling everyday complaints and investigations. Also acted as firearms consultant to Leon County Sheriff's Dept. in numerous assault, murder, and accident cases, 1970-1976.

Full time instructor at Colorado School of Trades as a certified trade school instructor 1976- 1978. Handled hundreds of firearm problems and taught safe handling and general gunsmith topics to approx. 200 full time students. Job description was "Stockmaking Instructor (Days)", but was certified and called upon on a daily basis to teach and troubleshoot firearms malfunctions, internal, external and terminal ballistics and handloading problems and advice, hunter safety, practical shooting, machine shop, welding, business practices, and design and function of firearms of all types.

As owner of Glenwood Gunworks, Glenwood Springs, Colorado, handled general repair and maintenance of hundreds of firearms and acted as consultant to local law enforcement personnel. 1978-1986

Maintained full service gunshop and concentrated on custom guns at home shop until formation of Belk and Shanks Gunworks in 1986.

Active Charter Member of the American Custom Gunmakers Guild until 2002 and have served as Director(two terms), and as President (two terms). I also served as a member of the Membership Committee, auctioneer, and Master of Ceremonies of the annual banquet for ten years. 1983 to 2002.

Served as writer and narrator of the ACGG educational video tape, "An Introduction to Custom Guns", available for sale in many outlets and at, <http://gunshop.com/acgg.htm>

The study and love of firearms and their operation is a constant process. Public speaking to local groups and boards has been undertaken. As a result of testimony in public hearings I was assigned to a study group to report to the County Commissioners concerning changes in ordinances to promote safe shooting in Twin Falls county, Idaho. Suggestions adopted by ordinance.

As owner and sole operator of Jack Belk Gunworks, A wide variety of firearms work is done. Present work and projects include, but are not limited to, repair, rebuilding and design and construction of a wide variety of sporting arms.

My interest in gun safety has been unfailing throughout my career and have become conversant with safety mechanisms, trigger groups, jar-off factors and incidents in long guns, including but not limited to Remington, Winchester, Mossberg, Ruger, Browning, etc. Capable of disassembly, microscopic inspection, identification of parts modifications or deviations from factory specifications, dates of production, fire control revisions, examination of model drawings, gun examination reports related to various models of incident firearms, determination of trajectory, velocities and all discharge-related variables. Also experienced in evaluation of toolmarks and identifying characteristics of firearms and firearm evidence. A wide and comprehensive knowledge of ammunition including factory and reloads, hangfires, misfires, malfunctions and defects in virtually all American and European long guns and handguns, both sporting and military.

I have qualified as a firearms expert in cases involving allegations of defective and unreasonably

dangerous firearms by reason of manufacturing defect or general safety mechanism deficiencies in both federal and state courts. I am familiar with Daubert-Kumho standards.

I have personally developed in association with John T. Butters, a Registered Engineer in Houston, Texas, a passive intercept safety mechanism that has been developed and patented for commercial use. That patent is now inactive.

Attorneys in a number of cases have elected to utilize the safety mechanism adaptable to virtually any long gun (rifle, shotgun) as a demonstrative aid in visually presenting to the jury the manner in which jar-offs / accidental discharges can be prevented by way of a feasible and economical alternative design. I can also generate firearms-related exhibits for purposes of trial.

Publications:

Several articles written by me have been published concerning firearms and their use. Subjects include gunshop security, math for gunmakers, how-to articles on unique firearms designs, the care and repair/rebuilding of faulty factory rifles, and accuracy hints and tips.

“Unsafe By Design: Forensic Gunsmithing and Firearms Accident Investigations” was published in December, 2014.

Paperback: 460 pages

Publisher: Truth 'n Shootin' Books (December 3, 2014)

Language: English

ISBN-10: 0692343504

ISBN-13: 978-0692343500

Custom gun work by me has been featured in international magazines and have graced the cover in at least one instance. I've been interviewed by national broadcast and cable news channels and have clarified firearms designs through publication of articles in hard print and internet.

I have served as consultant on numerous shooting sports ranges and in matters concerning the safety concerns of shooters and observers.

I am passionate in my love and interest in firearms and sincerely believe in their use, study, and promotion. I continue to do my part to assure that all firearms are understood for what they are: fascinating mechanical devices that can be explained in simple terms to anyone.

References supplied at your request.

H. J. (Jack) Belk

9/28/2011

updated 1-'15

JACK BELK GUNWORKS

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Belk's Case Listing

Case Name	Venue	Date	Comment
Emerson v. K Mart	Federal Court, Springfield, Missouri	1993	Deposition and trial
Alecsich v. Remington	Federal Court, Butte, Montana	1994	Deposition (two)
Kuebler v. Remington	Federal Court, Little Rock, Arkansas	c.1994	Deposition (three) and trial
Sanchez v. Remington	District Court, Falfurrias, Texas	c.1994	Deposition (two) and trial
Garza v. Winchester	District Court, Texas	c.1995	Deposition
Whaley v. Remington	Federal Court, Birmingham, Alabama	c.1995	Deposition
James v. Remington	Federal Court, Davenport, Iowa	1999-2000	Depositions (two) and trial
Livingston v. Weatherby/Howa	Federal Court, Charleston West Virginia	c.2001	Deposition
West v. NAArms	District Court, Anchorage, Alaska	2004	Depositions (2) and trial
Williams v. Remington	Federal Court Dallas, Texas	2005	Deposition and trial
Unk def. -Murder	District Court Laramie, Wyoming	2005	Trial
Pardue v. State of MO. Murder	District Court Springfield, Missouri	2010	Deposition
Hull v. Remington	Federal Court Tacoma, Washington	2010	Deposition and trial
Bledsoe v. Remington	Federal Court Dallas, Texas	2010	Deposition
Jain v. MML/Knight	District Court Eau Claire, WI.	2009-2011	Depositions (4) and trial

Jain v. MML/Knight	District Court, Eau Claire, Wisconsin	2012	Trial
Savant v. Beretta	Federal Court, Fort Smith, Arkansas	2006	Deposition

The above table is accurate and correct to the best of my knowledge.



Jack Belk

Since 1997 and issue #79, the ACGG has published five items of my writing in GUNMAKER magazine.

Ref: http://acgg.org/Gunmaker_Index.pdf

#79	"1997 EXHIBITION"	Exhibition	Page 8
#80	"Rigby cocking piece sight"	Product Review	Page 11
#87	"Ignorance of Mankind"	Legislation	Page 6
#101	"Worms for Sale or Rent"	Fiction	Page 17
#103	"Quality...."	Comment	page 20

"Remington Walker Explanation" October, 2010
Rock Creek Star newspaper, Twin Falls, Co. Idaho

"Remington Walker Explanation" has been published by permission by Safari Clubs in the USA and abroad as well as being posted as copyrighted material on many websites in 2010 and 2011.

"Unsafe by Design?: Forensic Gunsmithing and Firearms Accident Investigations"
Paperback: 460 pages

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